IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

Crl.Rev.Pet.No. 820 of 2000()

CRA.80/1999 of ADDL. SESSIONS COURT, ALAPPUZHA
CC.937/1995 of JUDL.MAGISTRATE OF FIRST CLASS-I, CHERTHALA
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REVN. PETITIONER: APPELLANT/ ACCUSED

PUSHPAN, S/O.SANKUNNY,
ATAVELIL HOUSE WARD NO.4,
THURAVOOR PANCHAYATH CHERTHALA.

BY ADV. SRI.A.N.RAJAN BABU

RESPONDENTS: RESPONDENTS

STATE OF KERALA REP.BY
PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

Crl.R.P.No.820 of 2000

Dated this the 29th day of June, 2007

O R D E R

The revision petitioner is the accused in C.C.No.937/95 with respect to the offence under Section 55(a) of the Abkari Act on the allegation on 22.1.1994 at 11 a.m., the accused was found in possession of 1½ litres of illicit arrack kept in the kitchen room of the house. The accused stands convicted and sentenced to undergo simple imprisonment for six months and to pay a fine of Rs.1000/- and in default, to undergo simple imprisonment for a further period of two months.

2. The counsel for the revision petitioner has only sought for modification of the sentence pointing out that the incident has taken place about 13 years back and he has sought for leniency pointing out that the accused was facing the criminal proceedings so far. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a fine of Rs.5,000/- and in default, to undergo simple imprisonment for one month. He shall appear before the trial court on 8.8.2007 to receive sentence.

The criminal revision petition is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl